

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
FILED
JUL 09 2003

Michael N. Milby, Clerk of Court

UNITED STATES OF AMERICA

VS.

JASON MICHAEL CARPENTER
JONATHAN LEE RICHES
STEPHANIE COSTLEY DOYLE
TIMOTHY RICHES
DONNA RICHES
MICHAEL SCOTT PESCE
STEPHEN PAUL MARCENKO
BERNARD DUZINSKI

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CRIMINAL NO. H-03-0090S

United States Courts
Southern District of Texas
ENTERED

JUL 10 2003

Michael N. Milby, Clerk of Court

SUPERCEDING INDICTMENT

The United States Grand Jury charges:

INTRODUCTION

At all times material herein:

1. JASON MICHAEL CARPENTER was a resident of Houston, Harris County, Texas.
2. JONATHAN LEE RICHES, a/k/a Jonathon Miller, a/k/a. Jon Miller, a/k/a. John Miller, a/k/a Robert Charles Kirmes, a/k/a. Bobby Christopher Kirmes; a/k/a. Anthony Johnson, a/k/a. Tony Johnson, a/k/a. Tom Flynn, a/k/a. Joseph Mojica, a/k/a. Jamie Dowling, a/k/a. Curt Teague, was a resident of Holiday, Pasco County, Florida.
3. STEFANIE COSTLEY DOYLE was a resident of Holiday, Pasco County, Florida.
4. MICHAEL SCOTT PESCE a/k/a Michael Battleman, was a resident of Selden, New York.
5. Western Union is an interstate wire service, providing among other services, the wire transfer of money throughout the United States and internationally.
6. The internet is a world-wide system of interconnected computer networks and

terminals.

7. E-mail is a method of exchanging electronic correspondence or other information between computer users on the internet.

COUNT 1
(Conspiracy - 18 U.S.C. §371)

A. INTRODUCTION

1. The Grand Jury adopts, re-alleges, and incorporates herein the allegations in paragraphs 1 through 7 of the Introduction of this Indictment as if set out fully herein

B. THE CONSPIRACY AND ITS OBJECTS

2. Beginning in or about February of 2002, and continuing at least through February 25, 2003, in the Houston Division of the Southern District of Texas, and elsewhere,

**JASON MICHAEL CARPENTER,
JONATHAN LEE RICHES,
STEFANIE COSTLEY DOYLE, and
MICHAEL SCOTT PESCE**

defendants herein, did knowingly, combine, conspire, confederate and agree with other persons known and unknown to the grand jury to knowingly devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises and in execution of said scheme and artifice, transmit or cause to be transmitted by means of wire in interstate commerce, writings, signs, signals, pictures and sounds for the purpose of executing said scheme or artifice to defraud in violation of Title 18, United States Code, Section 1343.

C. THE MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that:

3. The defendants would and did unlawfully obtain identity information of other persons by use of the internet.

4. The defendants would and did transfer this information among each other by use of e-mail.

5. The defendants would and did use the unlawfully acquired identity information to order credit cards using the names and credit of others without authorization.

6. The defendants would and did use said unlawfully acquired credit cards to acquire cash and merchandise.

7. The defendants would and did produce and transfer counterfeit identification documents.

8. The defendants would and did use said counterfeit identification documents in conjunction with the fraudulently obtained credit cards.

9. The defendants would and did send cash acquired by the use of said credit cards to each other by use of Western Union wire transfers in the names used on the counterfeit identification documents.

C. OVERT ACTS

10. In furtherance of the conspiracy, and to effect the objects thereof, the defendants performed and caused to be performed, among others, the overt acts set forth in Counts Three through Fourteen of this Indictment, hereby re-alleged and incorporated as if fully set forth in this Count of the Indictment.

In violation of Title 18, United States Code, Section 371.

COUNT 2
(Conspiracy to Launder Funds - 18 U.S.C. §1956(h))

A. INTRODUCTION

1. The Grand Jury adopts, re-alleges, and incorporates herein the allegations in paragraphs 1 through 7 of the Introduction of this Indictment as if set out fully herein.

B. THE CONSPIRACY AND ITS OBJECTS

2. Beginning in or about February of 2002, the exact time being unknown to the grand jury, and continuing through at least February 25, 2003, in the Houston Division of the Southern District of Texas, and elsewhere,

**JASON MICHAEL CARPENTER,
JONATHAN LEE RICHES,
STEFANIE COSTLEY DOYLE,
TIMOTHY RICHES,
DONNA RICHES, and
MICHAEL SCOTT PESCE**

defendants herein, together with other persons known and unknown to grand jury, did unlawfully and knowingly combine, conspire, confederate, and agree among themselves and each other to conduct financial transactions which involved proceeds of a specified unlawful activity, that is: the wire

transfer and deposit to, and withdrawal from financial institutions of, funds obtained as a result of the possession and negotiation of unlawfully obtained credit cards, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, that is acts chargeable as wire fraud under Title 18, U.S.C. §1343, and knowing that the transactions were designed in whole or in part to promote the carrying on of such specified unlawful activity, and to conceal and disguise the nature, source, ownership and control of the proceeds of specified unlawful activity, all in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i) and (B)(i).

B. THE MANNER AND MEANS OF THE CONSPIRACY

3. Among the deceitful and dishonest means by which the defendants and their co-conspirators sought to accomplish and did accomplish the purpose of the conspiracy were the acts set forth in paragraphs 3 through 9 of Count One of the Indictment, hereby re-alleged and incorporated as if fully set forth in this Count of the Indictment.

OVERT ACTS

4. In furtherance of the conspiracy, and to effect the objects thereof, the defendants and their co-conspirators performed and caused to be performed, among others, the overt acts set forth in Counts Three through Fourteen of this Indictment, hereby re-alleged and incorporated as if fully set forth in this count of the Indictment. The defendants and their co-conspirators also performed and caused to be performed, among others, the following overt acts:

a. Six separate cash deposits were made into the bank account of Timothy Riches and Donna Riches in July of 2001. The cash deposits were as follows:

Amount	Date	Institution	Account Holders	Account No.
\$8,000	July 9, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759
\$8,000	July 16, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759
\$7,000	July 23, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759
\$3,500	July 30, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759
\$7,000	August 6, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759
\$7,000	August 13, 2001	First National Bank of Chester County	Timothy and Donna Riches	4189759

b. On August 30, 2001 the defendants and their co-conspirators bought a house located at 2521 Morning Glory Court, Holiday, Florida.

In violation of Title 18, United States Code, Section 1956(h).

COUNTS 3-14
(Wire Fraud - 18 U.S.C. §1343)

A. INTRODUCTION

1. The Grand Jury adopts, re-alleges, and incorporates herein the allegations in paragraphs 1 through 7 of the Introduction of this Indictment as if set out fully herein.

B. THE SCHEME TO DEFRAUD

2. From in or about February of 2002, through on or about February 25, 2003, in the Houston Division of the Southern District of Texas, and elsewhere,

**JASON MICHAEL CARPENTER,
JONATHAN LEE RICHES,
STEFANIE COSTLEY DOYLE, and
MICHAEL SCOTT PESCE**

defendants herein, each aided and abetted by others known and unknown to the grand jury, did knowingly devise and intend to devise a scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, affecting a financial institution, and in the execution of said scheme and artifice, did knowingly transmit and cause to be transmitted by means of wire communications in interstate or foreign commerce, writings, signs, signals, pictures, or sounds, as more fully set forth below.

C. THE MANNER AND MEANS OF THE SCHEME TO DEFRAUD

3. Among the manner and means by which the defendants sought to accomplish and did accomplish the purpose of the scheme to defraud were the acts set forth in paragraphs 3 through 9 of Count One of the Indictment, hereby re-alleged and incorporated by the Grand Jury as if fully set forth in this Count of the Indictment.

D. EXECUTION OF THE SCHEME TO DEFRAUD

4. On or about the dates set forth below, in the Houston Division of the Southern District of Texas, and elsewhere, for the purpose of executing the scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises, and intending to do so, the defendants knowingly transmitted and caused to be transmitted by means of wire, according to the directions thereon, either from or to Houston, Texas, in the Southern District of Texas and elsewhere, as indicated below, the items described below:

COUNT	DATE	MONEY WIRED	FROM	TO
3	2/25/02	\$425	Elkins, West Virginia	Tarpon Springs, Florida
4	3/2/02	\$625	Elkins, West Virginia	New Port Richey, Florida
5	3/17/02	\$425	Elkins, West Virginia	New Port Richey, Florida
6	3/20/02	\$600	Elkins, West Virginia	Tarpon Springs, Florida
7	3/27/02	\$600	Elkins, West Virginia	Palm Harbor, Florida
8	4/5/02	\$425	Elkins, West Virginia	Clearwater, Florida
9	4/6/02	\$425	Elkins, West Virginia	New Port Richey, Florida
10	4/13/02	\$600	Elkins, West Virginia	Port Richey, Florida
11	4/17/02	\$600	Elkins, West Virginia	Port Richey, Florida
12	6/15/02	\$400	Joplin, Missouri	New Port Richey, Florida

13	9/27/02	\$400	Joplin, Missouri	Clearwater, Florida
14	9/30/02	\$300	Joplin, Missouri	Clearwater, Florida

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 15

(Fraud in Connection with Access Devices 18 U.S.C. §1029(a)(3))

Beginning at a time unknown to the grand jury, but no later than January of 2001, and continuing thereafter up to and through on or about February 25, 2003, in the Southern District of Texas and elsewhere,

**JASON MICHAEL CARPENTER,
JONATHAN LEE RICHES, and
STEFANIE COSTLEY DOYLE,**

defendants herein, together with other individuals known and unknown to the Grand Jury, aiding and abetting one another, did knowingly and with intent to defraud possess fifteen or more counterfeit and unauthorized access devices, described below, which affected interstate and foreign commerce.

NAME	ADDRESS	ACCESS DEVICE
Rhonda Richardson	4906 Buttonwood Court Monmouth Junction, NJ 08852	Affinity Federal Credit Union VISA
Thomas Barry	32 "C" Street Seaside Park, NJ 08752	Discover Card
Dennis Brown	152 Bala Drive Somers Point, NJ 08244	First USA Bank VISA
George Machuga	233 Franklin Avenue Seaside Heights, NJ 08751	Orchard Bank & Bank First MASTERCARD

Israel Rubin	4 Godfrey Road Upper Montclair, NJ 07043	National City Bank VISA
Martin Bender	24 East Wesley Street South Hackensack, NJ 07606	Shell MASTERCARD
Jose Martinez	PO Box 6335 Bridgewater, NJ 08807	Capital One VISA
Allen Hotaling	PO Box 12 Lake Katrine, NY 12449	Discover Card Platinum
Egon Mayer	1320 Ridge Road Laurel Hollow, NY 11791	MASTERCARD
Betsy Latham	50 Lake Street Saranac Lake, NY 12983	Charter One MASTERCARD
Julie Hamm	785 Fyler Road, Lot 78 Kirkville, NY 13082	Beacon Federal VISA
Geoffrey Stewart	50 Beverly Hill Drive Shrewsbury, MA 01545	VISA
Jean A. Robel	368 Stokes Road Shamong, NJ 08088	Commerce Bank Check Card
Fernando Hurtado	379 Remsen Avenue Avenel, NJ 07001	Direct Merchant's Bank VISA
Edwin Dyal	21D Oakview Court Shamong, NJ 08088	Discover Card

All in violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT 16

(Fraud in Connection with Identification Documents 18 U.S.C. §1028(a)(1))


Beginning on or about the 1st day of November, 2002, continuing up to on or about the 25th day of February, 2003, in the Southern District of Texas, and elsewhere,

**JASON MICHAEL CARPENTER,
JONATHAN LEE RICHES,
STEPHEN PAUL MARCENKO, and
BERNARD DUZINSKI**

defendants, aiding and abetting one another, did knowingly and without lawful authority produce, in and affecting interstate commerce, false identification documents, to wit: Texas driver's licenses of Price David Winston, Steven William Kempf, Ernest Tiebout, William Zurich, William Mark Rittenhouse, William Schuebeck and Bryce Robert Baxter.

In violation of Title 18, United States Code, Sections 1028(a)(1) and 2.

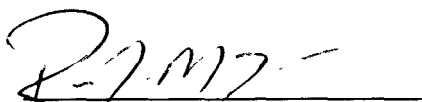
TRUE BILL


FOREPERSON OF THE GRAND JURY

MICHAEL T. SHELBY

United States Attorney

By:



Richard Magness

Assistant United States Attorney

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